

STATEMENT OF SCOPE
DEPARTMENT OF HEALTH SERVICES

Rule No.: DHS 110

Relating to: Emergency medical services (EMS) personnel titles

Rule Type: Permanent

Type of Statement of Scope: Original

1. Finding/nature of emergency (Emergency Rule only):

Not Applicable.

2. Detailed description of the objective of the proposed rule:

The objective of this rulemaking is to change the titles of EMS personnel to be the same as national standards.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Chapter DHS 110 establishes standards for certifying and licensing EMS ambulance service providers and training providers, and certifying, licensing, and credentialing EMS personnel at the first responder and emergency medical technician levels.

The national EMS Scope of Practice Model, on which the Wisconsin EMS program and the EMS program of other states are based, and the National Registry of Emergency Medical Technicians (NREMT) updated EMS personnel titles as follows:

Former EMS Titles

(EMS Titles Currently used in Wisconsin)

First Responder
EMT Basic
EMT Intermediate Technician
EMT Paramedic

Updated National EMS Titles

Emergency Medical Responder
Emergency Medical Technician
Advanced Emergency Medical Technician
Paramedic

For consistency with the national EMS Scope of Practice Model and NREMT both of which promote reciprocity, including for national certification and during times of mutual aid, the department proposes to revise the EMS personnel titles used in ch. DHS 110 to be the same as

those used by the national EMS Scope of Practice Model and NREMT. The department will also pursue remedial legislation to change the titles in ch. 256, Stats. No other changes to ch. DHS 110 are being proposed. There are no reasonable alternatives to the rulemaking. To do nothing could lead to confusion in the general public and EMS community and issues in national certification for Wisconsin EMS personnel.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 256.15 (13) (a) reads:

The department may promulgate rules necessary for administration of this section.

Section 227.11 (2) (a), Stats., reads: Rule-making authority is expressly conferred on an agency as follows:

(a) Each agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation. All of the following apply to the promulgation of a rule interpreting the provisions of a statute enforced or administered by an agency:

1. A statutory or nonstatutory provision containing a statement or declaration of legislative intent, purpose, findings, or policy does not confer rule-making authority on the agency or augment the agency's rule-making authority beyond the rule-making authority that is explicitly conferred on the agency by the legislature.
2. A statutory provision describing the agency's general powers or duties does not confer rule-making authority on the agency or augment the agency's rule-making authority beyond the rule-making authority that is explicitly conferred on the agency by the legislature.
3. A statutory provision containing a specific standard, requirement, or threshold does not confer on the agency the authority to promulgate, enforce, or administer a rule that contains a standard, requirement, or threshold that is more restrictive than the standard, requirement, or threshold contained in the statutory provision.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

The department estimates that it will take approximately 500 hours to develop the proposed rule changes. The EMS Advisory Board and other EMS stakeholders may also provide time and resources to this process.

6. List with description of all entities that may be affected by the proposed rule:

All levels of EMS personnel, counties and municipalities, EMS ambulance service providers, and EMS training providers.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

There appears to be no existing or proposed federal regulation that addresses the activities to be regulated by the proposed rule.

8. Anticipated economic impact of implementing the rule:

The proposed rule is anticipated to have little to no economic impact if promulgated.

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